



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

## COMMITTEE ON PUBLIC HEALTH, SAFETY AND WELFARE

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### Voting Members:

Brandon J. C. Elefante, Chair  
Kymberly Marcos Pine, Vice Chair  
Ikaika Anderson  
Ernest Y. Martin  
Trevor Ozawa

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## MINUTES

REGULAR MEETING  
TUESDAY, MAY 2, 2017

COUNCIL COMMITTEE MEETING ROOM  
2<sup>ND</sup> FLOOR, HONOLULU HALE  
HONOLULU, HAWAII 96813

*Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 768-5822.*

### CALL TO ORDER

The regular meeting of the Committee on Public Health, Safety and Welfare was called to order by Committee Chair Brandon Elefante at 9:11 a.m. Voting Members Martin, Ozawa, and Pine were present at the meeting. Voting Member Anderson was excused from the meeting.

### STAFF PRESENT

Mary Schmidtke, Senior Advisor to Committee Chair Elefante  
Alden Lum, Attorney, Office of Council Services  
Kamakana Watanabe, Analyst, Office of Council Services  
Leslie Chinn, Deputy, Department of the Corporation Counsel, assigned to the Committee  
Gail Uehara, Council Committee Aide, Office of the City Clerk

## ORDER OF BUSINESS

### APPROVAL OF MINUTES

The minutes of the Committee on Public Health, Safety and Welfare meeting held on March 7, 2017 were approved as circulated.

AYES: MARTIN, PINE, ELEFANTE - 3.

NOES: None.

EXCUSED: ANDERSON, OZAWA - 2.

### FOR ACTION

#### 1. RESOLUTION 17-110 – COMMITTEE REPORT 157

ACCEPTANCE OF GIFT (HPD). Relating to the acceptance of a gift to the City for the Honolulu Police Department to receive 40 tickets valued at \$4,480 (\$112 per person) from the Honolulu Police Community Foundation (HPCF) for attendance at the HPCF's 10th Annual Honolulu's Finest Dinner.

The following amendment was circulated at the meeting:

PROPOSED CD1 TO RESOLUTION 17-110 (Submitted by Councilmember Elefante) - The proposed CD1 (OCS2017-0482/5/1/2017) makes the following amendments:

- A. Amends the title to move the acronym "(HPCF)" to the space after the Honolulu Police Community Foundation, as follows:

RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FOR THE HONOLULU POLICE DEPARTMENT TO RECEIVE 40 TICKETS VALUED AT \$4,480 (\$112 PER PERSON) FROM THE HONOLULU POLICE COMMUNITY FOUNDATION (HPCF) FOR ATTENDANCE AT THE HPCF'S 10TH ANNUAL HONOLULU'S FINEST DINNER.

- B. Makes miscellaneous technical and nonsubstantive amendments.

#### Administration/Others

Steven Kim, Lieutenant, Honolulu Police Department

There was no public testimony.

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Lieutenant Kim testified in support of the Resolution.

Resolution 17-110 amended to the hand-carried CD1 (OCS2017-0482/5/1/2017) and reported out for adoption.

AYES: MARTIN, PINE, ELEFANTE - 3.

NOES: None.

EXCUSED: ANDERSON, OZAWA, - 2.

Related communication:

D-262 Honolulu Police Department, transmitting draft resolution.

2. RESOLUTION 17-65 – COMMITTEE REPORT 156

NOMINATION OF JAMES D. HOWE, JR. Relating to the nomination of James D. Howe, Jr. to serve as the Director of the Department of Emergency Services of the City and County of Honolulu.

Administration/Others

James D. Howe, Jr., nominee

There was no public testimony.

Mr. Howe provided a summary of his background and work experience and expressed his willingness to serve as the Director of the Department of Emergency Services.

In response to the Committee's inquiries, Mr. Howe provided the following information:

- The Hawaii Government Employees Association Collective Bargaining Unit (BU) change for lifeguards from a Clerical BU 3 to a Public Safety BU 14 helped address compensation issues.
- The three major avenues utilized to educate visitors about ocean safety are:
  - hawaiibeachsafety.com website
  - TV video programming in hotels
  - Hawaiian Airlines' video system

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- A pilot public-private partnership program to provide swim lessons to 2<sup>nd</sup> grade students using portable pools will begin this summer in Kailua.
- He has resigned from the Nationwide Organ Recovery Transport Alliance.

A discussion ensued regarding: a) the lifeguard's immunity protection from lawsuits that ends on June 30, and b) merging the Department of Emergency Services with the Honolulu Fire Department.

Committee Member Ozawa voiced his support for Mr. Howe's appointment.

Resolution 17-65 reported out for adoption.

AYES: MARTIN, OZAWA, PINE, ELEFANTE - 4.  
NOES: None.  
EXCUSED: ANDERSON - 1.

Related communications:

MM-24 Office of the Mayor, transmitting draft resolution.  
M-2283 Jeffrey S. Zuckernick, BS, MBA, MICT, University of Hawaii / KCC  
EMS Professor (support)  
M-2284 Monty Downs, M.D. (support)  
M-2285 Timothy Johns (support)

3. BILL 6 (2017), CD1

MOBILE ELECTRONIC DEVICES. Regulating the use of mobile electronic devices by certain persons.

The following amendment was posted on the agenda:

PROPOSED CD2 TO BILL 6 (2017), CD1 (Submitted by Councilmember Elefante) -  
The proposed CD2 (OCS2017-0405/4/12/2017 3:50 PM) makes the following amendments:

1. Deletes the prohibition against operating a motor vehicle while using a mobile electronic device because this prohibition is now set forth in HRS Section 291C-137. Also deletes other provisions of ROH Section 15-24.23 that relate to motor vehicles and the operation thereof.

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2. Deletes the word "person" from subsection (a) and replaces it with the word "pedestrian."
3. Amends the definition of "Emergency responders" by deleting the phrase "civil defense workers" and replacing it with "emergency management workers." This mirrors the definition in HRS Section 291C-137(e).
4. Makes miscellaneous technical and nonsubstantive amendments.

Administration/Others

Thomas Taflinger, Captain, Traffic Division, Honolulu Police Department (HPD)

Committee Chair Elefante explained his posted proposed CD2 amendments and provided information on pertinent HRS Sections prohibiting the use of electronic devices in motor vehicles, as detailed in Communication CC-157.

Captain Taflinger testified in support of the Bill, as detailed in Communication D-310. He also noted that pedestrian safety is a shared responsibility between pedestrians and motorists.

Committee Member Ozawa expressed concerns with the vagueness of the Bill's language relating to pedestrians viewing a mobile electronic device and its provability in court. He also expressed concern for a fair island-wide enforcement on the measure.

The following individual testified:

Taylor Fujimoto (support) (M-2287)

Committee Member Martin concurred with Committee Member Ozawa's concerns and stated his opposition to the Bill.

Committee Member Ozawa also stated his opposition to the measure.

Committee Chair Elefante recommended that the Bill be amended to the posted CD2 and that action on the Bill be deferred.

Committee Members Pine and Ozawa voiced their support for the deferral.

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The Committee Chair thanked everyone for the robust discussion and stated that the issues would be addressed with the appropriate stakeholders.

Bill 6 (2017), CD1 amended to the posted CD2 (OCS2017-0405/4/12/2017 3:50 PM) and action on the Bill deferred.

AYES: MARTIN, OZAWA, PINE, ELEFANTE - 4.

NOES: None.

EXCUSED: ANDERSON - 1.

Related communications:

CC-157	Councilmember Elefante, submitting information regarding Bill 6 (2017), CD1.
D-310	Kerry Inouye, Major, Traffic Division, Honolulu Police Department, submitting testimony in support.
M-2286	Ben Robinson (oppose)
M-2288	Terilyn Aldan, Lusua Muaga, Testimoni Tavale, Venetia-May Ueoka, Tilena Lautalo (support)
M-2289	Mark Shimabukuro (support)

#### INFORMATIONAL BRIEFING

#### 4. UPDATE ON THE 911 SYSTEM, TEXT 911 AND SMART 911 BY THE HONOLULU POLICE DEPARTMENT (HPD).

##### Administration/Others

William Baldwin, Major, Communications Division, Honolulu Police Department (HPD)

Thalia Burns, Supervisor Police Radio Dispatcher, Communications Division, HPD

There was no public testimony.

Major Baldwin stated the goals and objectives of the Communications Division and provided a PowerPoint presentation on the 911 System, Text 911 and Smart 911, as detailed in Communication D-311.

In response to inquiries, the HPD representatives provided information on:

- The HPD's vacant positions, salaries and the recruitment process.

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- Calls overwhelming the 911 System are automatically rolled over to a Longmont Colorado center. As a safety precaution, the center routes the calls back to Honolulu to ensure that no calls are dropped.
- Private information divulged on 911 calls are not an issue.

Committee Chair Elefante thanked the 911 operators on behalf of the Council for all their hard work serving the public.

Related communication:

D-311 William Baldwin, Major, Communications Division, Honolulu Police Department, submitting the PowerPoint presentation.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:20 a.m.

Respectfully submitted,

GLEN I. TAKAHASHI  
City Clerk

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DATE APPROVED

May 23, 2017